

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-40978-2014(O&M)

Date of decision: 20.03.2015

Rajwinder Singh and others

.. Petitioners

Vs.

State of Punjab and others

.. Respondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Mr. Varun Sharma, Advocate for the petitioners.
Mr. PJS Hundal, Asstt. A. G. Punjab.
Mr. Arshdeep Singh, Advocate for respondents no. 2 to 4.

Mahesh Grover, J

This is a petition under Section 482 of the Code of Criminal Procedure praying for quashing of FIR No.86 dated 15.10.2011 registered under Sections 452/295/323/148/149 IPC at Police Station Phase II, District SAS Nagar (Mohali) and all consequential proceedings arising therefrom on the basis of compromise.

On 01.12.2014 this Court had directed the trial Court to record the statement of all the affected persons and further record a finding as to whether the compromise has been effected voluntarily by the parties and a report in this regard was also called for.

Reports dated 29.01.2015 and 10.03.2015 have since been received along with copies of the statements of the affected persons which also indicates that the matter has been resolved amicably between the parties without any pressure from any quarter.

The Hon'ble Supreme Court in **Gold Quest International Private Ltd. vs. State of Tamil Nadu and others, 2014(4) RCR (Criminal) 206** has held that the disputes which are substantially

matrimonial in nature, or the civil property disputes with criminal facets, if the parties have entered into settlement, and it has become clear that there are no chances of conviction, there is no illegality in quashing the proceedings under Section 482 Cr.P.C read with Article 226 of the Constitution.

The Hon'ble Division Bench of this Court in **Sube Singh and another v. State of Haryana and another**, 2013(4) RCR (Criminal) 102 has held that the High Court is vested with unparallel power to quash the criminal proceedings at any stage to secure the ends of justice.

Having regard to the aforesaid and the observations made by the Full Bench of this Court in **Kulwinder Singh v. State of Punjab** reported as 2007(4) Law Herald 2225 and of Hon'ble Supreme Court in **Gian Singh v. State of Punjab** reported as 2012(4) RCR (Criminal) 543, instant petition is accepted. Consequently, FIR No. 86 dated 15.10.2011 registered under Sections 452/295/323/148/149 IPC at Police Station Phase II, District SAS Nagar (Mohali) and all consequential proceedings arising therefrom are hereby quashed.

20.03.2015

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(Mahesh Grover)
Judge